

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LEE RATZEL,

Plaintiff,

v.

Case No. 05-C-1236

JOE SIDEL,

Defendant.

ORDER DENYING MOTION AS MOOT

Plaintiff is a civil detainee at Wisconsin Resource Center ("WRC"), where defendant works as a psychiatric care technician. Plaintiff has moved the court to issue a subpoena compelling defendant to comply with the court's order of October 6, 2006. In that order, defendant was ordered to turn over to plaintiff any eye-witness accounts of the disputed incident that are in the possession of defendant or other WRC staff. However, defendant's motion for summary judgment was granted on November 6, 2006, and all of plaintiff's claims were dismissed with prejudice. Accordingly, plaintiff's instant motion is moot.

IT IS THEREFORE ORDERED that defendant's motion for issuance of a subpoena is denied as moot.

Dated this 8th day of November, 2006.

s/ William C. Griesbach

William C. Griesbach
United States District Judge